

PROB 12B (Rev. 08/18) <b>SUPERVISION REPORT</b> REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER				<b>U. S. Probation Office</b> Eastern District of Michigan	PACTS 6025853	DATE 07/16/2020
NAME DARGARTZ, Amber Marie		OFFICER Russell LaForet		JUDGE Terrence G. Berg	DOCKET # 19-CR-20132-02	
ORIGINAL SENTENCE DATE  03/12/2020	SUPERVISION TYPE  Supervised Release	CRIMINAL HISTORY CATEGORY  II	TOTAL OFFENSE LEVEL  9	PHOTO  		
REPORT PURPOSE <b>REQUEST TO MODIFY CONDITIONS</b>						
RECOMMENDATION <b>MODIFICATION</b>						
ORIGINAL OFFENSE Count 2: 18 U.S.C. § 1349, Conspiracy to Commit Bank Fraud; Count 3: 18 U.S.C. § 1028A, Aggravated Identity Theft						
SENTENCE DISPOSITION Custody of the Bureau of Prisons for a term of six months, to be followed by a 36-month term of supervised release.						
Amended Sentence: On June 11, 2020, the sentence was modified to add the following special condition, "You must reside in a Residential Reentry Center (RRC) for six months. You must follow the rules and regulations of the center. Subsistence is waived. While at the RRC, you shall be allowed to earn social time, if you are in compliance with all facility criteria and probationary standards." All other conditions of the original judgment remain in full force and effect.						
Sentence Reduction: July 15, 2020: Order Regarding Motion for Sentence Reduction, pursuant to 18 U.S.C. § 3582(c)(1)(A) (Compassionate Release), custodial sentence was reduced to time served. All other conditions of the original judgment remain in full force and effect.						
ORIGINAL SPECIAL CONDITIONS						
<ol style="list-style-type: none"> <li>1. You must participate in a residential inpatient substance abuse treatment facility for one year.</li> <li>2. You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).</li> <li>3. The defendant shall not use or possess alcohol in any consumable form, nor shall you be in the social company of any person whom you know to be in possession of alcohol or illegal drugs or frequent an establishment where alcohol is served for consumption on the premises, with the exception of restaurants.</li> </ol>						

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4. You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
5. You must participate in an educational services program and follow the rules and regulations of that program. Such programs may include high school equivalency preparation, English as a Second Language classes, and other classes designed to improve your proficiency in skills such as reading, writing, mathematics, or computer use.
6. You must participate in a cognitive-behavioral treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). Such programs may include group sessions led by a counselor or participation in a program administered by the probation office.

Criminal Monetary Penalty: Special Assessment \$100.00 (balance \$100.00); Restitution \$7,690.00 (balance \$7,690.00).

### **PETITIONING THE COURT**

To modify the condition(s) of supervised release as follows:

**To Add:**

“YOU MUST RESIDE IN A RESIDENTIAL REENTRY CENTER (RRC) FOR 6 MONTHS. YOU MUST FOLLOW THE RULES AND REGULATIONS OF THE CENTER. SUBSISTENCE IS WAIVED. WHILE AT THE RRC, YOU SHALL BE ALLOWED TO EARN SOCIAL TIME, IF YOU ARE IN COMPLIANCE WITH ALL FACILITY CRITERIA AND PROBATIONARY STANDARDS, **IF NECESSARY.**”

A Probation Form 49, Waiver of Hearing to Modify Conditions of Supervised release was not needed because the requested modification is less restrictive than the earlier condition.

### **CAUSE**

On June 11, 2020, the Court approved a modification to the person under supervision’s conditions of supervised release by adding a special condition for six months in a Residential Reentry Center (RRC). This condition was requested by the probation department primarily to secure a pro-social living environment for DARGARTZ, once she releases from custody.

On July 15, 2020, the Court sentenced DARGARTZ to “time served” in response to a Motion for Sentence Reduction pursuant to 18 U.S.C. § 3582(c)(1)(A) (Compassionate Release).

DARGARTZ has resided in the Northern District of Ohio throughout her life and, as such, she will be supervised during her term of supervised release in the Northern District of Ohio (Toledo). As this writer was in the process of coordinating the person under supervision’s supervised release plans with a probation supervisor from Toledo, it was brought to this writer’s attention that there is an active case of Covid-19 in the RRC in Toledo, Ohio. As such, the probation department

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is respectfully recommending the above listed modification to her conditions of supervised release. If approved by the Court, this modification will allow the probation department the ability to refer DARGARTZ to the RRC if needed to provide support and stable housing without mandating that they send her to the RRC while the epidemic is active in the facility.

A criminal record check completed through Access to Law Enforcement Systems (ATLAS) conducted on July 16, 2020, revealed no new criminal activity.

If your Honor agrees with this recommendation, please indicate below and return this correspondence to the probation department. If your Honor does not agree, please indicate below and direct the probation department as to how the Court wishes to proceed.

Should your Honor have any questions or concerns, this writer may be reached at the number below.

SUPERVISING PROBATION OFFICER  s/Russell W. LaForet/tmg 313-234-5269	DISTRIBUTION  Court
	PROBATION ROUTING  Data Entry

#### THE COURT ORDERS:

[  ] Modification as Noted Above

[  ] Other

/s/Terrence G. Berg  
United States District Judge

7/17/2020  
Date